

Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Solite Corporation
Mailing Address:	Route 1, Box 101 Cascade, VA 24069
Facility Name:	Solite Corporation & Giant Resource Recovery, Inc.
DEQ Registration Number:	30297
Facility Location:	101 Solite Road Cascade, Virginia
AIRS Identification No.:	51-143-0005

<u>Permit Number</u>	<u>Effective Date</u>	<u>Expiration Date</u>
VA-30297	May 7, 2002	May 7, 2007

Robert G. Burnley
Director, Department of Environmental Quality

May 7, 2002
Signature Date

Table of Contents, 2 pages
Permit Conditions, 30 pages

Table of Contents

I. Facility Information.....	1
II. Emission Units.....	2
A. Significant Emissions Units.....	2
B. Insignificant Emission Units.....	5
III. Pyro-Processing (Kiln) Equipment Requirements (ID # K1-K4).....	6
A. Limitations	6
B. Monitoring and Recordkeeping.....	6
C. Testing.....	7
IV. Stone Processing Requirements.....	8
(Crushing, Screening, Conveying, and Storage of Raw Materials).....	8
A. Limitations	8
B. Testing and Reporting.....	10
C. Monitoring.....	11
D. Notifications and Recordkeeping.....	11
V. Process Equipment Requirements - Portable Screening Plant	12
(Registration Number 32007).....	12
A. Limitations	12
B. Testing and Reporting.....	13
C. Monitoring.....	14
D. Notifications and Recordkeeping.....	15
VI. Process Equipment Requirements - Storage Tank 23	16
VII. MACT Requirements - Subpart DD (Off-Site Waste and Recovery Operations).....	17
A. Limitations	17
B. Inspection and Monitoring.....	18
C. Recordkeeping and Reporting.....	18
D. Testing.....	18
VIII. MACT Requirements - Subpart EEE (Hazardous Waste Combustors)	18
A. Limitations	18
B. Monitoring.....	19
C. Notification, Recordkeeping, and Reporting.....	19
D. Testing.....	20
IX. NESHAP Requirements - Subpart FF (Benzene Waste Operations)	20
A. Limitations	20
B. Notification, Recordkeeping, and Reporting	20
X. Permit Shield & Inapplicable Requirements	21

XI. General Conditions	21
A. Enforceability.....	21
B. Permit Expiration.....	21
C. Recordkeeping and Reporting.....	22
D. Annual Compliance Certification.....	23
E. Permit Deviation Reporting	24
F. Failure/Malfunction Reporting.....	24
G. Severability.....	24
H. Duty to Comply.....	24
I. Need to Halt or Reduce Activity not a Defense.....	24
J. Permit Action for Cause.....	25
K. Property Rights	25
L. Duty to Submit Information.....	26
M. Duty to Pay Permit Fees	26
N. Fugitive Dust Emission Standards	26
O. Startup, Shutdown, and Malfunction.....	27
P. Alternative Operating Scenarios	27
Q. Inspection and Entry Requirements	27
R. Reopening For Cause.....	28
S. Permit Availability.....	28
T. Transfer of Permits.....	28
U. Malfunction as an Affirmative Defense.....	29
V. Permit Revocation or Termination for Cause	30
W. Duty to Supplement or Correct Application.....	30
X. Stratospheric Ozone Protection.....	30
Y. Accidental Release Prevention.....	30

I. Facility Information

Permittee

Solite Corporation
Route 1, Box 101
Cascade, VA 24069

Responsible Official

Steven Diniaco
Vice President

Facility

Solite Corporation - Virginia Solite Division
Route 1, Box 101
Cascade, VA 24069

Contact Person

Janice Timpson
Environmental Affairs Coordinator
(804) 685-7021

AIRS Identification Number: 51-143-0005

Facility Description: SIC Codes 3295, 4953 - Facility quarries shale/slate on-site and may also receive shale/slate from off-site. Raw materials are crushed and may be sold; however, most of the raw material is heated in rotary kilns which expand the shale/slate into light-weight aggregate clinker. Fuel for the kilns is primarily hazardous waste fuel but may also be natural gas, residual oil, distillate oil, coal, or any combination of the approved fuels. Giant Resource Recovery, Inc., the hazardous waste fuel provider, is located adjacent to Solite. Giant Resource Recovery receives hazardous and non-hazardous wastes from off-site generators and blends the material into hazardous and non-hazardous waste fuels for Solite and other (off-site) customers. For Title V permitting purposes, Giant Resource Recovery and Solite are considered to be a single source, and requirements for all activities at the source are included in this permit.

II. Emission Units

Equipment to be operated consists of:

A. Significant Emissions Units

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Pyro-processing (Kilns)							
K1	BH1,2,4	Bennett (1957) 15 ton/hr kiln	50 MM Btu/hr	fabric filter	BH 1,2,4	PM, and PM HAPs	-
K2	BH1,2,4	Vulcan (1957) 15 ton/hr kiln	50 MM Btu/hr	fabric filter	BH 1,2,4	PM, and PM HAPs	-
K3	BH1,2,4	Vulcan (1957) 16 ton/hr kiln	60 MM Btu/hr	fabric filter	BH 1,2,4	PM, and PM HAPs	-
K4	BH1,2,4	Vulcan (1957) 18 ton/hr kiln	65 MM Btu/hr	fabric filter	BH 1,2,4	PM, and PM HAPs	-
Stone Processing and Storage							
JCR1		Primary 32"x 42" Jaw crusher (NSPS)	350 tons/hr	wet suppression		PM	12/17/99
RCC1		Symons Std. 4.25' cone crusher	220 tons/hr	wet suppression		PM	
FCC2		Symons Std. 5.5' cone crusher	220 tons/hr	wet suppression		PM	
FCC3		Symons Std 4' Cone crusher	220 tons/hr	wet suppression		PM	
SCR1		Deister 8 x 16 screen	245 tons/hr	wet suppression		PM	6/5/97
FSC2c, FSC2d		Deister 6 x 16 screen	220 tons/hr	wet suppression		PM	
FSC3a, FSC3b		Seco 5 x 12 screen	220 tons/hr	wet suppression		PM	
CRC1		30" Solite Corp. conveyor (NSPS)	200 tons/hr	wet suppression		PM	6/5/97

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
RCB1,4		30" Solite Corp. conveyor (1972)	245 tons/hr	wet suppression		PM	
RCB2		24" Solite Corp. conveyor (1972)	245 tons/hr	wet suppression		PM	
RCB3		30" Solite Corp. conveyor (1986)	245 tons/hr	wet suppression		PM	
RCB5,6		30" Solite Corp. conveyor (1972)	245 tons/hr	wet suppression		PM	
RCB7,7a, K1CB8, K2CB9, K3CB10, K4CB11		24" Solite Corp. conveyor (1972)	245 tons/hr	wet suppression		PM	
K4CB15		18" Solite Corp. conveyor (1972)	245 tons/hr	wet suppression		PM	
FCB16		36" Solite Corp. conveyor	220 tons/hr	wet suppression		PM	
FCB17-25		30" Solite Corp. conveyor	220 tons/hr	wet suppression		PM	
FCB26		24" Solite Corp. conveyor	220 tons/hr	wet suppression		PM	
FCB27		36" Solite Corp. conveyor	220 tons/hr	wet suppression		PM	
FCB28,29		24" Solite Corp. conveyor	220 tons/hr	wet suppression		PM	
BE1-BE4		(4) 10" bucket elevators (all units subject to NSPS)	28 tons/hr, each	total enclosure		PM	3/19/01

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Portable Plant 1 (#32007)		Portable Screening and Crushing Operation consisting of: (1) 3-deck screen (PS01) (1) 36" conveyor (PC01) (2) 30" conveyors (PC02 - PC03) (1) 24" conveyor (PC04) (all units subject to NSPS)	each with capacity of 250 tons/hr	wet suppression		PM	9/17/01
Storage							
RSBH	RSBH	Raw Side Baghouse Dust Storage Silo (1991)	628 ft ³	fabric filter		PM	
FMBH	FMBH	Finish Mini-Baghouse (1991)	9 tons/hr	fabric filter		PM	
Liquid Waste Fuel Blending and Storage							
T1		storage tank (1979)	8,000 gal			VOC/HAP	
T2-6		storage tank (1979)	6,000 gal			VOC/HAP	
T7		storage tank (1979)	20,000 gal			VOC/HAP	
T11		storage tank (1979)	10,000 gal			VOC/HAP	
T12-15		storage tank (1979)	20,000 gal			VOC/HAP	
T16		storage tank (1982)	20,000 gal			VOC/HAP	
T17,18		storage tank (1979)	10,000 gal			VOC/HAP	
T19-22		storage tank (1979)	20,000 gal			VOC/HAP	
T23		storage tank (1998) (NSPS)	21,300 gal			VOC/HAP	

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

B. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
FSBT1, FSB1-3	aggregate surge bin	(9 VAC 5-80-720 B)	PM	each < 800 ft ³
CTB0-6	coal conveying	(9 VAC 5-80-720 B)	PM	150 ton/hr, each
RCT1-4, RCST1,2	coal storage/surge bins	(9 VAC 5-80-720 B)	PM	each < 300 ft ³

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

III. Pyro-Processing (Kiln) Equipment Requirements (ID # K1-K4)

A. Limitations

1. Particulate emissions from the kilns (K1-K4) shall be controlled by the use of fabric filters.
(9 VAC 5-80-110)
2. The approved fuels for the kilns (K1-K4) are natural gas, waste fuel, residual oils, diesel fuel, coal and any combination of the previous fuels. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110)
3. Sulfur content for any fuel used in the kilns (K1-K4) shall not exceed 3 pounds per million Btu.
(9 VAC 5-80-110 and 9 VAC 5-40-2570)
4. Particulate emissions from the operation of the kilns (K1-K4) shall not exceed the limits specified below:

Kiln #K1 52.7 lb/hr
Kiln #K2 52.7 lb/hr
Kiln #K3 56.2 lb/hr
Kiln #K4 63.2 lb/hr

(9 VAC 5-80-110 and 9 VAC 5-40-2560)
5. Visible Emissions from each of the fabric filter stacks (BH1, BH2, and BH4) shall not exceed twenty percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed sixty percent opacity.
(9 VAC 5-40-80 and 9 VAC 5-80-110)

B. Monitoring and Recordkeeping

1. Each fabric filter (BH1, BH2, and BH4) shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times.
(9 VAC 5-80-110)

2. Visual emission observations from each fabric filter exhaust stack (BH1, BH2, and BH4) shall be conducted at least once per week. If visible emissions are observed from any fabric filter, the permittee shall:
 - a. Take timely corrective action such that the fabric filter resumes normal operation and there are no visible emissions from the fabric filter exhaust stack, or
 - b. Perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the fabric filter do not exceed twenty (20) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed twenty (20) percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fabric filter resumes operation with visible emissions of 20 percent or less.

Records shall be maintained, stating the date and time of each visible emissions check and whether visible emissions were observed, results of all VEEs, the observer's name and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110E, 9 VAC 5-80-110K)

3. The permittee shall maintain records of all emission data and operating parameters necessary to quantify emissions and to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. The monthly and annual throughput of each fuel burned and of raw material processed through the kilns (K1-K4). The annual throughput shall be calculated monthly as the sum of each consecutive twelve (12) month period.
 - b. Records of sulfur content (in lb/MMBtu) of each fuel burned in the kilns (K1-K4), sufficient to demonstrate compliance with Condition III.A.3. The permittee may use vendor/generator certifications to demonstrate compliance with the sulfur content requirements of this condition.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110)

C. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30 and 9 VAC 5-80-110)

IV. Stone Processing Requirements (Crushing, Screening, Conveying, and Storage of Raw Materials)

A. Limitations

1. The throughput of raw material through the primary crusher (JCR1) shall not exceed 2,450,000 tons per year, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-80-110 and Condition 5 of December 17, 1999 Permit)
2. The yearly production of crushed stone from the Deister primary screen (SCR1) shall not exceed 2,452,800 tons, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 4 of June 5, 1997 Permit)
3. Visible emissions from stone processing equipment shall not exceed the opacity limits specified below:

Emission Point	Emission Point ID	Visible Emission Limit (Basis)
32" x 42" Primary Jaw Crusher	JCR1 (NSPS unit)	15% opacity (12/17/99 Permit)
8' x 16' Deister Screen, 30" Belt Conveyor, & Stockpile fed by Belt Conveyor CRC-1	SCR1 CRC1 (NSPS unit)	10% opacity (6/5/97 Permit)
Units installed after March 17, 1972 but not subject to opacity limits imposed in any permit	RCB3	20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30%
All units not otherwise limited in this condition, but excluding 10" bucket elevators (BE1- BE4)		20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60%

Visible emissions shall be determined by EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-40-80, 9 VAC 5-50-80, Condition 6 of 12/17/99 Permit, Condition 6 of June 5, 1997 Permit; for CRC1, 40 CFR 60.672(b); for JCR1, 40 CFR 60.672(c))

4. The (4) 10" bucket elevators (BE1-BE4) shall have no visible emissions as determined by EPA Method 22 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-110, Condition 5 of March 19, 2001 Permit, and 40 CFR 60.672(e))

5. Particulate emissions from the operation of the Deister screen (SCR1) shall not exceed the limitations specified below:

Total Suspended Particulate	2.52 lbs/hr	11.0 tons/yr
PM-10	0.25 lbs/hr	1.1 tons/yr

These emissions are derived from the estimated overall emission contribution. Compliance shall be determined as stated in Condition numbers IV.A.2 and 3. Compliance with annual emission limits shall be determined monthly, calculated as the sum of each consecutive twelve month period.

(9 VAC 5-80-110, 9 VAC 5-50-260 and Condition 5 of June 5, 1997 Permit)

6. Except where this permit is more restrictive than the applicable requirement, each unit subject to NSPS Subpart OOO (including but not limited to those units identified in Table II.A as NSPS units) shall be operated in compliance with the requirements of 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.
(9 VAC 5-80-110, 9 VAC 5-50-400, Condition 7 of June 5, 1997 Permit, Condition 7 of December 17, 1999 Permit, and Condition 6 of March 19, 2001 Permit)
7. Crushers in the Stone Processing Department (JCR1 and RCC1) shall be fitted with water sprays or other appropriate systems which effectively limit the escape of airborne dust.
(9 VAC 5-80-110, 9 VAC 5-40-1840, and Condition 4 of December 17, 1999 Permit)
8. All feeders, elevators, conveyors, transfer points, discharge points and loading points shall be equipped with collectors, sprays or other means when necessary to minimize the escape of dust.
(9 VAC 5-80-110 and 9 VAC 5-40-1840)
9. Particulate emissions from the 10" bucket elevators (BE1-BE4) shall be controlled by total enclosure. Each bucket elevator shall be enclosed within a metal shell with openings for the take-up pulley and head pulley shafts. The raw material transfers into and out of each bucket elevator shall be made through an enclosed chute that substantially restricts airflow. The bucket elevators shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 3 of March 19, 2001 Permit)
10. Unless otherwise specified, dust emission controls shall include the following, or equivalent, as a minimum:
- Dust from drills, shot piles, material handling, screens, crushers, load-outs, and traffic areas shall be controlled by wet suppression or equivalent (as approved by the DEQ).
 - All material being stockpiled shall be kept moist to control dust during storage and handling or covered at all times to minimize emissions.
 - Haul roads shall be controlled by wet suppression, or by application of asphalt, suitable chemicals, or equivalent methods approved by DEQ.

- d. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.

(9 VAC 5-80-110, 9 VAC 5-40-1860, Condition 3 of June 5, 1997 Permit, Condition 4 of December 17, 1999 Permit, and Condition 4 of March 19, 2001 Permit)

B. Testing and Reporting

1. Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, shall be conducted by the permittee as follows:
 - a. Method 22 tests for each of the bucket elevators (BE1-BE4), per the specification in 40 CFR 60.675(d). The initial test shall be performed within 60 days after achieving the maximum production rate at which the facility will be operated but in no event later than 180 days after start-up of the permitted facility. Subsequent tests shall be performed at least once annually, with a frequency not to exceed 12 months.
 - b. Method 9 and/or Method 22 tests for the primary crusher (JCR1) and conveyor CRC1 shall be performed at least once annually, with a frequency not to exceed 12 months.

Details of the tests are to be arranged with the South Central Regional Office. One copy of all test results shall be submitted to the South Central Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit. One copy of initial test results for the bucket elevators (BE1-BE4) shall be submitted to the EPA Region III Office within 45 days after test completion. Results are to be sent to:

Associate Director
Office of Air Enforcement (3AP10)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-80-110, Condition 9 of March 19, 2001 Permit, 40 CFR 60.675(c)(1), and 40 CFR 60.676(f))

2. Visible Emission Evaluations required, in Condition IV.B.1., on the bucket elevators (BE1-BE4), the primary crusher (JCR1), and conveyor (CRC1) may be reduced to ten (10) sets of twenty-four (24) consecutive observations (at fifteen (15) second intervals) to yield a six (6) minute average if:
 - a. There are no individual readings greater than ten (10) percent opacity for the affected unit, and
 - b. There are no more than three (3) readings of ten (10) percent opacity for the one (1) hour period for the affected unit.

(9 VAC 5-80-110, 40 CFR 60.675 (c)(3), and 40 CFR 60.675 (c)(4))

C. Monitoring

1. The wet suppression spray system for the primary jaw crusher (JCR1) and the Deister screen (SCR1) shall be equipped with a pressure gauge to indicate the system operating pressure. The gauge shall be installed with adequate access for inspection.
(9 VAC 5-80-110, Condition 4 of December 17, 1999 Permit and Condition 3 of June 5, 1997 Permit)
2. Visual emission observations from each crusher, screen, conveyor, and transfer point shall be conducted at least once per week. If visible emissions are observed, the permittee shall:
 - a. Take timely corrective action such that the affected unit resumes normal operation and there are no visible emissions from the process, or
 - b. Perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the equipment do not exceed the opacity limits in Condition IV.A.3. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed the applicable opacity limit, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the affected unit resumes operation within the applicable visible emissions limits.

Records shall be maintained, stating the date and time of each visible emissions check and whether visible emissions were observed, results of all VEEs, the observer's name and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110E, 9 VAC 5-80-110K)

D. Notifications and Recordkeeping

1. The permittee shall furnish written notification of the following to the South Central Regional Office:
 - a. The actual date on which construction of bucket elevator #4 (BE4) commenced within 30 days after such date.
 - b. The actual start-up date of bucket elevator #4 (BE4), within 15 days after such date.
 - c. The anticipated date of performance tests bucket elevator #4 (BE4), postmarked at least 30 days prior to such date.

Copies of the written notification referenced in items a through c above are to be sent to the EPA Region III office at the address provided in Condition IV.B.

(9 VAC 5-80-110, Condition 10 of March 19, 2001 Permit, and 40 CFR 60.7(a)(1, 3, and 6))

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:
 - a. annual throughput of crushed stone through the primary crusher (JCR1) in tons, calculated monthly as the sum of each consecutive 12 month period
 - b. crushed stone throughput for the Deister screen, in tons, calculated monthly as the sum of each consecutive 12 month period
 - c. visible emission evaluations (VEE) performed in accordance with Condition IV.B.

These records shall be available for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, Condition 8 of December 17, 1999 Permit, and Condition 8 of June 5, 1997 Permit)

V. Process Equipment Requirements - Portable Screening Plant (Registration Number 32007)

A. Limitations

1. Fugitive dust emission controls shall include the following, or equivalent, as a minimum:
 - a. Dust from drills, shot piles, material handling, screens, crushers, load-outs, and traffic areas shall be controlled by wet suppression or equivalent (as approved by the DEQ).
 - b. All material being stockpiled shall be kept adequately moist to control dust during storage and handling or covered at all times to minimize emissions.
 - c. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, suitable chemicals, or equivalent methods approved by the DEQ.
 - d. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt, product, or raw material spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.

(9 VAC 5-80-110 and Condition 3 of September 17, 2001 Permit)

2. The throughput of crushed stone through the screen (PS01) shall not exceed 730,000 tons per year, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-80-110 and Condition 4 of September 17, 2001 Permit)

3. Emissions from the operation of the portable stone processing plant shall not exceed the limits specified below:

Particulate Matter	2.6 lbs/hr	4.6 tons/yr
PM-10	0.4 lbs/hr	0.9 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with the annual emission limits shall be determined monthly, calculated as the sum of each consecutive twelve month period, and may be determined as stated in Condition number V.A.2.

(9 VAC 5-80-110 and Condition 5 of September 17, 2001 Permit)

4. The portable screen and conveyors may not operate at any single temporary site for a period in excess of 18 months without written approval from the DEQ.
(9 VAC 5-80-110 and Condition 6 of September 17, 2001 Permit)
5. Visible emissions from screening, stockpiles, surge bins, conveyor transfers, and fugitive emission sources shall not exceed 10 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110, Condition 7 of September 17, 2001 Permit, and 40 CFR 60.672(b))
6. Except where this permit is more restrictive than the applicable requirement, the permittee shall operate the affected units in compliance with all applicable requirements of 40 CFR 60, Subpart OOO (Standards of Performance for Nonmetallic Mineral Processing Plants).
(9 VAC 5-80-110 and Condition 8 of September 17, 2001 Permit)
7. The permittee is authorized to apply for relocation of the portable screen and conveyors to other project sites within Virginia under the provisions of 9 VAC 5-80-11. Such requests will be evaluated on a case-by-case basis.
(9 VAC 5-80-110 and Condition 14 of September 17, 2001 Permit)

B. Testing and Reporting

1. Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, shall be conducted by the permittee as follows:
- a. Method 9 tests for the screen (PS01) and conveyor PC02. Each test shall consist of 30 sets of 24 consecutive observations (at 15 second intervals) to yield a six minute average. The initial test shall be performed, reported and demonstrate compliance within 60 days after achieving the maximum production rate at which the facility will be operated but in no event later than 180 days after start-up of the permitted facility.

- b. Method 9 and/or Method 22 tests for the screen (PS01) and each associated transfer point shall be performed at least once annually, with a frequency not to exceed 12 months.

The details of the tests are to be arranged with the South Central Regional Office. Two copies of the test results shall be submitted to the South Central Regional Office within 60 or 180 days as described above and shall conform to the test report format enclosed with this permit.

(9 VAC 5-80-110, Condition 10 of September 17, 2001 Permit, 40 CFR 60.675(c)(1), and 40 CFR 60.676(f))

2. Visible Emission Evaluations required, in Condition V.B.1., on the screen and conveyor may be reduced to ten (10) sets of twenty-four (24) consecutive observations (at fifteen (15) second intervals) to yield a six (6) minute average if:
 - a. There are no individual readings greater than ten (10) percent opacity for the screen or conveyor, and
 - b. There are no more than three (3) readings of ten (10) percent opacity for the one (1) hour period for the screen or conveyor.

(9 VAC 5-80-110, Condition 11 of September 17, 2001 Permit, and 40 CFR 60.675(c)(3))

C. Monitoring

1. Visual emission observations from each screen, conveyor, and transfer point shall be conducted at least once per week. If visible emissions are observed, the permittee shall:
 - a. Take timely corrective action such that the affected unit resumes normal operation and there are no visible emissions from the process, or
 - b. Perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the equipment do not exceed the opacity limits in Condition V.A.5. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed the applicable opacity limit, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the affected unit resumes operation within the applicable visible emissions limits.

Records shall be maintained, stating the date and time of each visible emissions check and whether visible emissions were observed, results of all VEEs, the observer's name and any required corrective action taken. If any affected unit has not been operated during the week, it shall be noted in the record that the unit was not operated and that a visual observation was not required. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110E, 9 VAC 5-80-110K)

D. Notifications and Recordkeeping

1. **Initial Notifications** - The permittee shall furnish written notification to the South Central Regional Office of:
 - a. The actual date on which construction of the portable screen and four conveyors (PS01 and PC01-PC04) commenced within 30 days after such date.
 - b. The anticipated start-up date of the portable screen and four conveyors (PS01 and PC01-PC04) postmarked not more than 60 days nor less than 30 days prior to such date.
 - c. The actual start-up date of the portable screen and four conveyors (PS01 and PC01-PC04) within 15 days after such date.
 - d. The anticipated date of performance tests of the portable screen and four conveyors (PS01 and PC01-PC04) postmarked at least 30 days prior to such date.

Copies of the written notification referenced in items a through d above are to be sent to:

Associate Director
Office of Air Enforcement (3AP10)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-80-110, Condition 12 of September 17, 2001 Permit, and 40 CFR 60.7)

2. **Notification for Relocation of Portable Facilities** - At least fifteen days prior to each relocation, the following information shall be submitted to the reviewing DEQ-Regional Office (the Region to which the facility shall be relocated):
 - a. The facility registration number.
 - b. The date of the permit.
 - c. Date of estimated relocation and start-up of the facility.
 - d. The period of time the facility will be at the proposed site.
 - e. The location and description of the proposed site, including a map showing the exact location.

- f. The location of the present site. If the present site is outside the Commonwealth of Virginia, include the latest location in Virginia.
- g. A description of the facility to be relocated. This should include any identification or equipment number that the owner uses to identify the facility.
- h. A description of the action at the proposed site. This includes the type of product and the total throughput at the proposed site.
- i. The process throughput which has occurred at the present site, if this site is located inside the Commonwealth of Virginia.
- j. The process throughput for the previous 12 consecutive months.

(9 VAC 5-80-110 and Condition 13 of September 17, 2001 Permit)

- 3. The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Region Office. These records shall include, but are not limited to:
 - a. Annual throughput of crushed stone through the screen (PS01), in tons, calculated monthly as the sum of each consecutive 12 month period;
 - b. Copies of all VEEs required in Condition V.B.1;
 - c. Copies of the initial notifications required in Condition V.D.1;
 - d. Copies of the relocation notifications required in Condition V.D.2;
 - e. Copies of malfunction notifications as required in Condition XI.F;

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 9 of September 17, 2001 Permit)

VI. Process Equipment Requirements - Storage Tank 23

The permittee shall keep for Tank 23 readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the vessel. These records shall be kept for the life of the source.

(9 VAC 5-80-110 and 40 CFR 60.116b(a) and (b))

VII. MACT Requirements - Subpart DD (Off-Site Waste and Recovery Operations)

A. Limitations

1. For the purposes of this section, all terms used herein shall have the meaning given them in 40 CFR 63 Subpart A and 40 CFR 63 Subpart DD. Affected sources include off-site material management units (tanks, containers, or transfer systems), process vents, and equipment leaks, as specified in 40 CFR 63.680 (c).
(9 VAC 5-80-110 and 40 CFR 63.680)
2. Except where this permit is more restrictive than the applicable requirement, the permittee shall comply with the requirements of 40 CFR Part 63 Subpart DD, National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations, including applicable General Provisions in 40 CFR Part 63 Subpart A and applicable cross-referenced requirements from 40 CFR 63 Subparts OO and PP.
(9 VAC 5-80-110 and 40 CFR 63.680)
3. For each affected off-site material treatment unit specified in Condition VII.A.1. of this permit, the permittee shall comply with the applicable requirements specified in 40 CFR 63.683, Standards: General.
(9 VAC 5-80-110 and 40 CFR 63.683)
4. For each affected tank specified in Condition VII.A.1. of this permit, the permittee shall comply with the applicable requirements specified in 40 CFR 63.685, Standards: Tanks, including the control levels specified in Table 3 to Subpart DD.
(9 VAC 5-80-110 and 40 CFR 63.685)
5. For each affected container specified in Condition VII.A.1. of this permit, the permittee shall comply with the applicable requirements specified in 40 CFR 63.688, Standards: Containers.
(9 VAC 5-80-110 and 40 CFR 63.688)
6. For each affected transfer system specified in Condition VII.A.1. of this permit, the permittee shall comply with the applicable requirements specified in 40 CFR 63.689, Standards: Transfer Systems.
(9 VAC 5-80-110 and 40 CFR 63.689)
7. For equipment leaks specified in Condition VII.A.1. of this permit, the permittee shall comply with the applicable requirements specified in 40 CFR 63.691, Standards: Equipment Leaks.
(9 VAC 5-80-110 and 40 CFR 63.691)

8. Should the permittee opt to install closed-vent system(s) as specified in Condition VII.A.1. of this permit, such systems shall comply with the applicable requirements specified in 40 CFR 63.693, Standards: Closed-vent systems and control devices. (9 VAC 5-80-110 and 40 CFR 63.693)

B. Inspection and Monitoring

For each affected source, the permittee shall comply with the applicable requirements specified in 40 CFR 63.695, Inspection and Monitoring Requirements. Affected sources include any tank subject to Level 2 controls as specified in 40 CFR 63.685, any closed-vent system, and any transfer system covers as specified in Condition VII.A.1 of this permit.
(9 VAC 5-80-110 and 40 CFR 63.695)

C. Recordkeeping and Reporting

1. The permittee shall keep records for each affected source in accordance with the requirements of 40 CFR 63.696. Such requirements include provisions of 40 CFR 63.10 of 40 CFR 63 Subpart A, as shown in 40 CFR 63 Subpart DD, Table 2, General Provisions Applicability to Subpart DD.
(9 VAC 5-80-110 and 40 CFR 63.696)
2. The permittee shall submit reports for each affected source in accordance with the requirements of 40 CFR 63.697. Such requirements include provisions of 40 CFR 63.9 and 63.10 of 40 CFR 63 Subpart A, as shown in 40 CFR 63 Subpart DD, Table 2, General Provisions Applicability to Subpart DD.
(9 VAC 5-80-110 and 40 CFR 63.697)

D. Testing

All testing conducted to demonstrate compliance with the limitations in Section VII.A. of this permit (Standards specified in 40 CFR 63.683 through 63.693) shall be conducted in accordance with the applicable testing methods and procedures as specified in 40 CFR 63.694.
(9 VAC 5-80-110, 40 CFR 63.694)

VIII. MACT Requirements - Subpart EEE (Hazardous Waste Combustors)

A. Limitations

1. For the purposes of this section, all terms used herein shall have the meaning given them in 40 CFR 63 Subpart A and 40 CFR 63 Subpart EEE. Requirements in this section apply only to the extent they are effective under 40 CFR 63 Subpart EEE.
(9 VAC 5-80-110 and 40 CFR 63.1201)

2. The permittee shall comply with the requirements of 40 CFR Part 63 Subpart A, General Provisions, as indicated in 40 CFR Part 63 Subpart EEE, Table 1, General Provisions Applicability to Subpart EEE.
(9 VAC 5-80-110 and 40 CFR 63.1200)
3. No later than the compliance date for existing sources as specified in 40 CFR 63 Subpart EEE, each hazardous waste burning lightweight aggregate kiln (K1-K4) shall meet the emission limits and destruction and removal efficiency (DRE) standards found in 40 CFR 63.1205, Standards For Hazardous Waste Burning Lightweight Aggregate Kilns.
(9 VAC 5-80-110 and 40 CFR 63.1205)
4. No later than the compliance date for existing sources as specified in 40 CFR 63 Subpart EEE, the permittee shall demonstrate to DEQ (South Central Regional Office) that each kiln (K1-K4) is in compliance. The compliance demonstrations shall be in accordance with the Compliance Provisions of 40 CFR 64.1206.
(9 VAC 5-80-110 and 40 CFR 63.1206)
5. No later than 6 months following submittal of the compliance demonstrations required by Condition VIII.A.4. of this permit, the permittee shall submit a complete application to incorporate the substantive requirements of 40 CFR 63 Subpart EEE into this permit.
(9 VAC 5-80-110)

B. Monitoring

For each kiln specified in Condition VIII.A.3. of this permit (K1-K4), the permittee shall comply with the applicable requirements specified in 40 CFR 63.1209, Monitoring Requirements. However, compliance with the requirements to install, calibrate, maintain, and operate the PM CEMS is not required until such time that performance specifications and operations requirements applicable to PM CEMS have been promulgated.
(9 VAC 5-80-110 and 40 CFR 63.1209)

C. Notification, Recordkeeping, and Reporting

1. The permittee shall provide notifications in accordance with the requirements of 40 CFR 63.1210. Such requirements include provisions of 40 CFR 63.9 of 40 CFR 63 Subpart A, as shown in 40 CFR 63 Subpart EEE, Table 1, General Provisions Applicability to Subpart EEE.
(9 VAC 5-80-110 and 40 CFR 63.1210)
2. The permittee shall keep records and submit reports for each affected source subject to the requirements of 40 CFR Part 63 Subpart EEE, (K1-K4) in compliance with the recordkeeping and reporting requirements of 40 CFR 63.1211. Such requirements include provisions of 40 CFR 63.10 of 40 CFR 63 Subpart A, as shown in 40 CFR 63 Subpart EEE, Table 1, General Provisions Applicability to Subpart EEE.
(9 VAC 5-80-110 and 40 CFR 63.1211)

D. Testing

The permittee shall perform tests on each kiln (K1-K4) as required by 40 CFR 63.7 and 40 CFR 63.1207, in order to demonstrate compliance with the standards specified in 40 CFR 63.1205. Testing shall be conducted per the test methods and procedures specified in 40 CFR 63.1208. Alternatively, previously obtained data may be submitted in lieu of testing, provided the data meet the quality criteria specified in 40 CFR 63.1207. (9 VAC 5-80-110, 40 CFR 63.1207, and 40 CFR 63.1208)

IX. NESHAP Requirements - Subpart FF (Benzene Waste Operations)

A. Limitations

1. For the purposes of this section, all terms used herein shall have the meaning given them in 40 CFR 61 Subpart A and 40 CFR 61 Subpart FF.
(9 VAC 5-80-110 and 40 CFR 61.341)
2. Except where this permit is more restrictive than the applicable requirement, the permittee shall comply with the requirements of 40 CFR Part 61 Subpart FF, National Emission Standard for Benzene Waste Operations, including applicable General Provisions in 40 CFR Part 61 Subpart A.
(9 VAC 5-80-110 and 40 CFR 63.340)

B. Notification, Recordkeeping, and Reporting

1. The permittee shall keep records of total annual benzene (TAB) quantity in accordance with 40 CFR 61.356.
(9 VAC 5-80-110 and 40 CFR 63.356)
2. The permittee shall submit to DEQ (South Central Regional Office) an annual report in accordance with 40 CFR 61.357(c). The permittee shall also submit such a report whenever there is a change in the process generating a waste stream that could cause the TAB quantity from facility waste to increase to 10 Mg/yr or more. If the information in the required annual report is not changed in the following year, the permittee may submit a statement to that effect.
(9 VAC 5-80-110 and 40 CFR 63.357)

X. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
None identified.		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

XI. General Conditions

A. Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit shall become invalid five years from the date of issuance. Permit expiration terminates the source's right to operate. The permittee shall submit an application for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.
(9 VAC 5-80-110 D, 9 VAC 5-80-170B, and 9 VAC 5-80-80 F)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ every six months. The time periods to be addressed are the calendar months January through June and July through December. Each report must be postmarked within 30 days following each six-month reporting period. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to DEQ and EPA a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The time period to be covered by the certification is the calendar months January through December. Each report must be postmarked within 30 days following each annual period. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. The identification of the methods or other means by the permittee for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data.
5. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the South Central Regional Office within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition XI.C.3. of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify DEQ, South Central Regional Office, within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown.
(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit, including those terms and conditions set forth in a tabular format. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Action for Cause

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
 - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
 - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
 - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
 - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
 - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
 - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
 - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-40-20 and 9 VAC 5-50-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows the permittee to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2. b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)